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09/488,275	01/20/2000	Thomas R Eames	P722CONT	4219

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TECHNOLOGY, PATENTS AND LICENSING, INC.  
6206 KELLERS CHURCH ROAD  
PIPERSVILLE, PA 18947

EXAMINER
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CHUNG, JASON J

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/488,275

Applicant(s)

EAMES ET AL.

Examiner

Jason J. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-27 and 29-85 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION*****Response to Arguments***

Applicant's arguments filed 12/8/04 have been fully considered but they are not persuasive. The applicant argues on pages 20-23 of the response that Ehreth in view of Schultheiss does not teach a single unitary device as amended. The examiner respectfully disagrees with this assertion. The applicant argues on page 23 of the response, "Specifically, Ehreth fails to teach a residential...(or remote site)". While it is true Ehreth uses unit 50, the examiner used Schultheiss as a teaching to meet the limitation. The applicant further argues on pages 23-24 that Schultheiss does not disclose a plurality of remote controls each associated with multiple televisions. The examiner points out that the Ehreth reference has already taught that limitation. The applicant argues on pages 24-25 of the response that the references in combination are not operably combinable. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Moreover, Schultheiss discloses it is costly to provide additional services with add on units such as descramblers (gateway), receivers (gateway), thus requiring memory and computing power added (column 1, lines 30-40); the residential gateway descrambles and is also a receiver, thus, it is beneficial to eliminate multiple units 50 (Ehreth) in order to reduce costs by eliminating some add on units as taught by Schultheiss.

The applicant argues on pages 25-41 of the response that the remaining claims should be allowable for the reasons previously stated. The examiner respectfully disagrees with this assertion for the same reasons set forth above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 6, 10, 11, 13, 15, 31-39, 42, 43, 45, 47, 71, 73-75, 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth (US Patent # 6,286,142) in view of Schultheiss (US Patent # 6,208,384).

Regarding claim 1, Ehreth discloses in a residential environment 102 capable of having a plurality of televisions 100 locatable in at least two separate locations, a method of decoding and distributing video signals from a residential gateway 30 (column 3, lines 10-50), the method comprising:

Ehreth discloses receiving at least one channel select command from at least one remote control device 70 (column 3, line 65-column 4, line 23) associated with a respective at least one television 100 (figure 1) of the plurality of televisions, wherein the at least one channel select command is received at a receiver within the residential gateway 30, wherein the residential gateway for receives channel select commands from a plurality of remote control devices 70 respectively associated with the plurality of televisions 100.

Ehreth discloses receiving a video signal from a telecommunication network 40 in response to the received at least one channel select command (column 3, lines 10-33; figure 1).

Ehreth discloses constructing, from the video signal, at least one series of video packets (MPEG) corresponding to the at least one channel select command (column 3, lines 27-34).

Ehreth discloses transporting the at least one series of video packets to at least one video decoder 32 (column 3, lines 27-34).

Ehreth discloses decoding the at least one series of video packets to produce at least one television signal, the decoding performed by the at least one video decoder 32 (encoded video to analog: column 3, lines 27-34).

Ehreth discloses transmitting the at least one television signal to the at least one television 100 (column 3, lines 40-50).

Ehreth fails to disclose the gateway being unitary and directly receiving. Schultheiss discloses the residential gateway 12 receives cable, Internet, or satellite signals (column 7, line 63-column 8, line 2). Schultheiss discloses the process of selecting television channels (column 6, lines 4-40). Schultheiss discloses the personal computer may control the tuning and other the functions according to the second embodiment (column 6, lines 63-67). Schultheiss discloses the second embodiment may be used for figure 2 to select channels using the remote control (column 7, lines 35-50). Schultheiss discloses the unitary residential gateway 12 directly receives commands from the remote control 50' and the residential gateway 12 transmits the commands and the video signals to the television (column 8, lines 3-16; figure 4). Schultheiss discloses it is costly to provide additional services with add on units such as descramblers (gateways), receivers (gateways), thus requiring memory and computing power added (column 1, lines 30-

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40). It would have been obvious to one of ordinary skill in the art to modify Ehreth to have a unitary residential gateway that directly receives channel change commands directly as taught by Schultheiss in order to provide additional services without requiring costly add on units to be added.

Regarding claims 2-4, as disclosed in claim 1 rejections, Ehreth discloses digital video signals, analog television signal, and MPEG packets (column 3, lines 10-34).

Regarding claim 6, Schultheiss discloses a UHF remote sending UHF signals to a UHF receiver (column 7, lines 4-17).

Regarding claim 10, as disclosed in claim 1 rejections, the encoded MPEG signal is decoded and converted into analog; the MPEG decoder reads on a main video decoder 32.

Regarding claim 11, as disclosed in claim 1 rejection, Ehreth discloses a decoder 32. Ehreth fails to disclose an insertable decoder. The examiner takes Official notice that insertable cartridges are notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to make the decoder insertable in order to provide mobility to the decoder by being able to interchange the decoder in multiple gateways in different locations.

Regarding claim 13, the combination of Ehreth and Schultheiss discloses the television signal produced by the main video decoder 32 (Ehreth) is transmitted to a television that is located in close proximity to the residential gateway 12 (Infrared control, Schultheiss: column 7, lines 18-30).

Regarding claim 15, Ehreth and Schultheiss combined discloses decoding video packets associated with a channel select command (Ehreth: column 3, lines 10-34) from a television

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located in close proximity (Schultheiss: column 7, lines 18-30) to the residential gateway 12 (Schultheiss) into a television signal having a first format (Ehreth: multiple TV's, thus users request different programming (formats)).

Ehreth and Schultheiss combined discloses decoding video packets associated with channel select commands from televisions remotely located from the residential gateway into television signals having a second format different from the first format (Ehreth: column 3, lines 10-34; figure 1; multiple TV's, thus users request different programming (formats)).

Regarding claim 31, the limitations in claim 31 have been met in claim 1 rejection.

Regarding claim 32, the limitations in claim 32 have been met in claim 12 rejection, Ehreth discloses a network connecting a communication controller 30 (residential gateway) to a television (figure 1). Ehreth fails to disclose the network being wired cable. The examiner takes Official Notice that wired networks and/or sending S-video via cable to televisions is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have cable in order to insulate transmitted signals without interference from signals in the air.

Regarding claim 33, Ehreth and Schultheiss combined discloses the selecting a television channel includes selecting a television channel for remotely located televisions by programming associated wireless remote control devices 70 (Ehreth: column 3, line 35-column 4, line 23), the associated wireless remote control devices 70 transmitting the channel select command as wireless signals to the residential gateway, the wireless signals being received by a wireless receiver within the residential gateway (Schultheiss: column 8, lines 17-28).

Regarding claim 34, the limitations in claim 34 have been met in claim 6 rejection.

Regarding claim 35, Ehreth discloses the selecting a television for remotely located televisions by programming associated remote control devices 70 to transmit the channel select commands to the remotely located televisions 100, the remotely located televisions 100 (column 3, lines 2-3) transmitting the channel select commands to the residential gateway (column 3, line 65-column 4, line 23).

Regarding claim 36, Ehreth discloses infrared remote control devices 70 (column 4, lines 5-12).

Regarding claim 37, Ehreth discloses connecting remotely located televisions 100 to associated receivers 50 located close in proximity to the remotely located televisions 100 and connected the associated receivers 50 to the residential gateway 30 (column 3, lines 35-64; figure 1).

Regarding claim 38, Ehreth discloses selecting a television channel for the remotely located televisions by programming associated remote control devices 70, the associated remote control devices 70 transmitting the channel select commands to the associated receivers 50, the associated receivers 50 transmitting the channel select commands to the residential gateway 30 (column 3, line 51-column 4, line 23).

Regarding claim 39, Ehreth discloses the associated remote control devices 70 are infrared remote control devices and the associated receivers 50 are infrared receivers (column 3, line 51-column 4, line 23).

Regarding claim 42, the limitations in claim 42 have been met in claim 10 rejection.

Regarding claim 43, the limitations in claim 43 have been met in claim 11 rejection.

Regarding claim 45, the limitations in claim 45 have been met in claim 13 rejection.



Regarding claim 47, the limitations in claim 47 have been met in claim 15 rejection.

Regarding claim 71, the limitations in claim 71 have been met in claim 1 rejection.

Ehreth discloses the additional limitations of network interface module 32 and televisions 100 remotely locatable from the residential gateway (figure 1). Schultheiss discloses the television 40 located in close proximity to the residential gateway 12 (figure 4).

Regarding claim 73, Schultheiss has met the limitation for directly receiving a wireless remote control command and Ehreth has met the limitation on second television in claim 1 rejection.

Regarding claims 74-75, as disclosed in claim 1 rejection, Ehreth discloses a main MPEG processor 32 that constructs MPEG streams from the received video signals format (column 3, lines 10-34) and the main MPEG processor 32 is capable of simultaneously decoding several MPEG streams corresponding to several channels (there are multiple viewers that can watch different programs).

Regarding claim 77, the limitations in claim 77 have been met in claim 15 rejection, the different formats in claim 15 are for different televisions.

2. Claims 7, 8, 40, 41, 67, 69, 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Hamlin (US Patent # 5,574,964).

Regarding claims 7-8, Ehreth discloses the remote selector 70 may be used in any other suitable signal transmission media for entering user input information (column 4, lines 5-12) and as disclosed in claim 1 rejections, Schultheiss discloses the residential gateway 12 directly receiving the remote control commands. However, neither Ehreth nor Schultheiss discloses a wireless receiver in the residential gateway receiving infrared signals from a remote control.

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Hamlin discloses the residential gateway 38 (column 5, lines 17-21). Hamlin discloses the receiving unit 46 is a TV in the same room as the residential gateway 38 (column 4, lines 27-33; figure 1). Hamlin discloses a remote controller sends electromagnetic signals such as infrared signals to a transceiver (receiver) connected to the residential gateway 38 (column 6, lines 8-17); the signal is directly sent to the transceiver, which is part of the gateway. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have the residential gateway have a wireless receiver receiving electromagnetic signals such as infrared signals or radio signals from a remote control as taught by Hamlin in order to provide versatility, mobility while communicating with the gateway.

Regarding claims 40-41, the limitations in claims 40-41 have been met in claims 7-8 rejections.

Regarding claim 67, the limitations in claim 67 have been covered in claims 1, 7, and 8 rejections. Schultheiss has met the limitation on without passing through an active device has been met in claim 16 rejection.

Regarding claim 69, the limitation in claim 69 have been met in claims 7-8 rejections.

Regarding claim 72, the limitations in claim 72 have been met in claims 7-8 rejections.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Martin (US Patent # 5,500,691).

Regarding claim 9, as disclosed in claim 1 rejection, Ehreth and Schultheiss combined discloses the remote and local televisions and channel select commands corresponding to each television. As disclosed in claim 1 rejection, Schultheiss discloses the residential gateway 12 receiving signals from the remote controls. Neither Ehreth nor Schultheiss discloses two

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different types of receivers within the residential gateway. Martin discloses the satellite receiver 12 (residential gateway) receives infrared signals from RF/IR remote unit 16 and can receive RF signal via RF antenna 20 (column 3, lines 4-15, figure 1); the user can communicate remotely with the satellite receiver (residential gateway) **directly** (incorporated hereinafter in corresponding claims) via IR/RF, the user can communicate in proximity via RF or IR. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have two types of receivers as taught by Martin in order to give the user more versatility on the type of communication to use. Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have two types of receivers as taught by Martin in order to give the user more mobility for the user to communicate from nearby or remote. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have two types of receivers as taught by Martin in order to give the user a more robust system in the scenario of one receiver breaks down, the other will work.

4. Claims 12, 44, 68, 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of White (US Patent # 5,596,373).

Regarding claim 12, as disclosed in claim 1 rejection, Ehreth discloses an MPEG signal is converted into an analog signal. Neither Ehreth nor Schultheiss discloses S-video. White discloses the decoded MPEG signal is an S video signal (column 4, lines 4-14). It would have been obvious to one of skill in the art at the time the invention was made to modify Ehreth in

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view of Schultheiss produce a television signal having an S video format as taught by White in order to produce better picture quality.

Regarding claim 44, the limitations in claim 44 have been met in claim 12 rejection. As disclosed in claim 1 rejection, there are a series of ATM cells in MPEG format (packets).

Regarding claim 68, the limitations in claim 68 have been met in claim 12 rejection.

Regarding claim 78, the limitations in claim 78 have been met in claim 12 rejection.

5. Claims 14, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Bindlish (US Patent # 5,608,864).

Regarding claim 14, as disclosed in claim 1 rejection, Ehreth discloses a MPEG decoder. Neither Ehreth nor Schultheiss discloses decoding with three separate channels. Bindlish discloses the composite video signal is decoded by MPEG decoder into a YUV signal (three separate channels) (column 3, lines 48-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have the MPEG decoder decode the composite video signal into a YUV signal as taught by Bindlish in order to produce better picture quality, which produce component signals (3 separate channels).

Regarding claim 46, the limitations in claim 46 have been met in claim 14 rejection.

6. Claims 16-23, 25, 26, 30, 48, 50-52, 57, 58, 60, 62-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Nguyen (US Patent # 5,515,511).

Regarding claims 16, 19, and 25, the limitations in claim 16 have been met in claim 1 rejection. As disclosed in claim 1 rejections, Ehreth discloses MPEG signals are converted into analog signals, which meets the limitation on a main MPEG video decoder 32. Ehreth discloses

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a network interface module 32 that receives video signals from a telecommunications network (column 3, lines 11-34). Neither Ehreth nor Schultheiss discloses a plurality of processors. Nguyen discloses a residential gateway (C box) provides conversion of digital to analog with (column 5, lines 34-53). Nguyen discloses a plurality of decompression and analog network adapters 111-114 (processors or decoders) that transmits compressed digital streams and converts the stream into analog and sends to a user (column 3, lines 38-59). Nguyen discloses advantages in overcoming prior art include being able to support more end users (column 1, lines 18-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have a plurality of processors for decoding as taught by Nguyen in order to distribute the load of decoding among multiple decoders in order to provide video to multiple users.

Regarding claim 17, the limitations in claim 17 have been met in claim 2 rejection.

Regarding claim 18, the limitations in claim 18 have been met in claim 3 rejection.

Regarding claim 20, the limitations in claim 20 have been met in claim 33 rejection.

Regarding claim 21, the limitations in claim 21 have been met in claim 6 rejection by Schultheiss.

Regarding claims 22-23, the limitations in claims 22-23 have been met in claims 7-8 rejections.

Regarding claim 26, the limitations in claim 26 have been met in claim 11 rejection.

Regarding claim 30, the limitations in claim 30 have been met in claims 11 and 15 rejections.

Regarding claim 48, the limitations in claim 48 have been met in claims 1 and 16 rejection.

Regarding claim 50, the limitations in claim 50 have been met in claim 1 rejection.

Regarding claim 51, the limitations in claim 51 have been met in claim 6 rejection by Schultheiss.

Regarding claim 52, the limitations in claim 52 have been met in claim 35 rejection.

Regarding claim 57, the limitations in claim 57 have been met in claim 10 rejection.

Regarding claim 58, the limitations in claim 58 have been met in claim 26 rejection.

Regarding claim 60, as disclosed in claims 1, 10 rejections, the television standing outside of remote site 104 reads on close in proximity, the main video decoder is disclosed in claim 10 rejection.

Regarding claim 62, the limitations in claim 62 have been met in claim 30 rejection.

Regarding claim 63, Schultheiss discloses a UHF transceiver 24 (remote control module) (figure 4).

Regarding claim 64-65, Ehreth discloses converting digital to analog of video signals as disclosed in claim 1 rejection. Ehreth fails to disclose the received signals being voice and data. The examiner takes Official Notice that conversion of voice to telephony and data to computer is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have the signals converted be voice and data in order to provide analog signals to the devices.

Regarding claim 66, as disclosed in claim 1 rejection, data is sent downstream from broadband network 40 to the communication controller 30 (residential gateway) the user uses a

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remote to select programming and the requests are sent upstream and the upstream signaling receiver receives the appropriate programming (figure 1), the communication controller 30 (residential gateway) performs the function of a DAVIC module connected to the network and transmitting the signal to the TVs.

7. Claims 24, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Nguyen in further view of Martin.

Regarding claim 24, the limitations in claim 24 have been met in claim 9 rejection. The motivation is the same for this rejection as the corresponding claim rejection.

Regarding claim 56, the limitations in claim 56 have been met in claim 9 rejection. The motivation is the same for this rejection as the corresponding claim rejection.

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Nguyen in further view of White.

Regarding claim 27, the limitations in claim 27 have been met in claim 12 rejection.

9. Claim 29, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in view of Nguyen in further view of Bindlish.

Regarding claim 29, the limitations in claim 29 have been met in claim 14 rejection.

Regarding claim 61, the limitations in claim 61 have been met in claim 29 rejection.

10. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of White.

Regarding claim 49, the limitations in claim 49 have been met in claim 32 rejection.

11. Claims 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Nguyen in further view of Hamlin.

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Regarding claim 53, the limitations in claim 53 have been met in claim 7 rejection.

Regarding claim 54, the limitations in claim 54 have been met in claim 8 rejection.

Regarding claim 55, the limitations in claims 7-8 rejections.

12. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen in further view of White.

Regarding claim 59, the limitations in claim 59 have been met in claim 44 rejection.

13. Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Nguyen in further view of White.

Regarding claim 70, as disclosed in claim 1 rejection, Ehreth discloses decoding the MPEG signal and producing an analog signal; Nguyen has met the limitation on a processor and a module (plurality of decoders) has been met in claim 16 rejection. The limitation on S video has been met in claim 12 rejection.

14. Claim 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Decker (US Patent # 6,167,443).

Regarding claim 76, Ehreth discloses modulator 34 for modulating the television signals (figure 1 and column 3, lines 40-50). Neither Ehreth nor Schultheiss discloses a plurality of modulators. Decker discloses an entertainment and information system (residential gateway) that is installed in a hotel with a number of rooms and TVs (column 4, lines 45-53). Decker discloses modulators 135 (figure 2, column 4, lines 54-67 and column 5, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Schultheiss to have a plurality of modulators as taught by Decker in



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order to create a more efficient system by distributing the work load amongst a plurality of modulators.

15. Claim 79-82, 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Hamlin in further view of White.

Regarding claim 79, the limitations in claim 79 have been met in claim 1 rejection. Additionally, the limitation for close in proximity and remotely located have been met in claim 1 rejection. The network interface module has been met by Ehreth in claim 16 rejection. The limitation for S video has been met in claim 12 rejection. The limitation for optical receiver has been met in claim 7-8 rejection.

Regarding claim 80, the limitations in claim 80 have been met in claim 73 rejection.

Regarding claims 81-82, Ehreth has met the limitations in claims 81-82 in claim 74-75 rejections.

Regarding claim 85, the limitations in claim 85 have been met in claim 11 rejection.

16. Claim 83 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Hamlin in further view of White in further view of Decker.

Regarding claim 83, the limitations in claim 83 have been met in claim 76 rejection.

17. Claim 84 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Schultheiss in further view of Hamlin in further view of White in further view of Nguyen.

Regarding claim 84, as disclosed in claim 48 rejection, Nguyen discloses a plurality of decoders (modules). Ehreth discloses remotely located televisions in claim 1 rejections and MPEG in claim 19 rejection.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJC



VIVEK SRIVASTAVA  
PRIMARY EXAMINER